

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CHRIS TURNER,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:07-cv-162 MEF
)	
CITY OF AUBURN, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the Court on Defendants' Motion for Leave to File Third-Party Complaint (Doc. # 52), filed on January 18, 2008. The motion represents that it was timely filed within the deadline for adding parties established in this Court's Uniform Scheduling Order (Doc. # 37). However, that Order established a deadline for adding parties on December 28, 2007. Since the instant motion was not filed on or before that date, it is untimely.

In making a motion for leave to amend a pleading after the deadline set by this Court's scheduling order, Defendants must show good cause exists for their failure to file timely. *See Sosa v. Airprint Sys., Inc.*, 133 F.3d 1417, 1419 (11th Cir. 1998) (applying the Rule 16 good cause standard rather than the more liberal standard of Rule 15 to attempt to amend pleading after deadline set by Court's scheduling order is appropriate). Defendants' motion does not establish good cause exists. Indeed, it does not even purport to show any cause exists.

Accordingly, it is hereby ORDERED that the Defendants' Motion for Leave to File Third-Party Complaint (Doc. # 52) is DENIED.

DONE this 6th day of February, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE